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Letter dated 6 March 2017 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

On instructions from my Government, I have the honour to transmit herewith a copy of the memorandum submitted by the President of the Independent National Electoral Commission of the Democratic Republic of the Congo to the delegation of experts of the Administrative and Budgetary Committee (Fifth Committee) during its recent visit to the Democratic Republic of the Congo, from 7 to 10 February 2017 (see annex).

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(*Signed*) Ignace **Gata Mavita**
Ambassador
Permanent Representative

17-04663 (E) 300317 310317

Please recycle

Annex to the letter dated 6 March 2017 from the Permanent Representative of the Democratic Republic of the Congo to the United Nations addressed to the President of the Security Council

[Original: English and French]

Memorandum submitted to the United Nations delegation responsible for the maintenance of peace and security during its visit to the Democratic Republic of the Congo from 7 to 10 February 2017

Expression of gratitude

The Independent National Electoral Commission of the Democratic Republic of the Congo is grateful to you for honouring it with your visit to its provincial office in North Kivu to discuss the electoral process in the Democratic Republic of the Congo and our partnership.

Update on the electoral process

Since the Independent National Electoral Commission was established, it has worked with the United Nations, initially through the United Nations Observer Mission in the Democratic Republic of the Congo (MONUC) and the United Nations Development Programme (UNDP) project to support the electoral cycle in the Democratic Republic of the Congo.

That collaboration continues today through the Electoral Division of the United Nations Organization Stabilization Mission in the Democratic Republic of the Congo (MONUSCO), under Mr. Simon Pierre, and the UNDP project to support the electoral cycle, under Mr. Alain Ayakodoun.

In 2005 and 2006, the international community provided 90 per cent of the technical, logistical and financial support for the organization of the elections, but today the situation is the reverse. The Government of the Democratic Republic of the Congo is primarily responsible for organizing the elections.

Comparative tables showing United Nations and Government support in 2005-2006 and 2015-2017

Table 1
2005-2006

Partners	*Logistical support*	*Financial assistance (in United States dollars)*	*Technical assistance*	*Number of voters registered on the electoral rolls*
Democratic Republic of the Congo	4 helicopters	120 000 000	Personnel of the Democratic Republic of the Congo	
MONUC/European Union	24 helicopters 66 aircraft	470 000	132 experts	

Partners	*Logistical support*	*Financial assistance (in United States dollars)*	*Technical assistance*	*Number of voters registered on the electoral rolls*
Angola	5 helicopters			
Republic of the Congo	3 helicopters			
Republic of South Africa	8 aircraft	51 000 000 (second round)	27 experts	
				25 702 000

Table 2
2015-2017 (40 million voters expected)

Partners	*Logistical support*	*Financial assistance (in United States dollars)*	*Technical assistance*	*Observations*
Democratic Republic of the Congo	– 2 helicopters – 2 Boeings – 2 Antonovs – 97 vans – 50 trucks – 10 jeeps – Approximately 1,000 motorcycles – Approximately 1,000 bicycles – Small boats – Canoes – Skiffs	300,000,000	Independent National Electoral Commission staff	Same disbursement plan for 2017
United Nations and international community	– 16 helicopters – 2 Ilyushin aircraft – 2 Hercules aircraft	123,000,000 planned, but no funds have been allocated to the operational part. Instead, funds have been allocated to certain non-governmental organizations and churches, bypassing the UNDP project to support the electoral cycle.	72 technicians at head office and only 8 in the provinces, often without resources.	Lack of fuel and planning. Much pressure without the corresponding funding.

Comments

It will be noted that, compared to 2005, the United Nations and the international community as a whole have provided little financial or technical assistance and even less logistical support, although they are among those making the most demands of the Electoral Commission.

We would like to thank your team for visiting us and have the honour to transmit to you the following detailed information:

(a) In North Ubangi province, where the voter registration process was piloted, out of 20 lifts, the United Nations organized two full flights and one flight of 3 tons with a private aircraft, and thereby lost its credibility. MONUSCO was ill-prepared and hired trucks from private companies, thereby delaying the operation by two or three days in Businga, Yakoma and Bosobolo. Even aircraft belonging to Service Air and the Mission were not used until a little later;

(b) For areas of operation 1 and 2, MONUSCO was scheduled to transport 1,900 tons of equipment at the end of December 2016, but, because of a lack of fuel and planning (pilots disobeyed the orders of MONUSCO officials or took their orders from Goma rather than Kinshasa) the Mission had transported only 1,116 tons by 4 January 2017. Only the Electoral Commission transported everything assigned to it, in addition to over 600 tons that should have been transported by MONUSCO aircraft, for example in North Kivu. The details of the lifts are available from your office.

Aircraft of the Government of the Democratic Republic of the Congo, including two military helicopters, have helped us cover the remaining provinces. The table below contains a number of examples.

Table 3

Date	*Province*	*Description of incident*	*Observations*
15 November 2016	Maniema, Kindu province	– Visit by the Vice-President of the Electoral Commission with more than 20 members of parliament from Maniema, South Kivu and North Kivu, and various members of the Commission – The aircraft that should have transported the equipment to Kindu went to Goma while the visiting group, including the governor and members of the provincial parliament, were at the airport. – After much pressure and the pilot's initial refusal to fly, the aircraft ultimately arrived at 3.50 p.m. local time.	Assessment Those responsible for the Integrated Electoral Support Group have no authority over their pilots and their plans change in response to the wishes of Goma, the logistics officer or the pilot.

Date	*Province*	*Description of incident*	*Observations*
22 December 2016 and January 2017	North Kivu (Goma) and South Kivu	Three meetings of the Electoral Commission and MONUSCO were held at MONUSCO headquarters. – Meeting with the Electoral Commission delegation – Meeting with President Corneille Nangaa, but none of the commitments made were fully honoured by MONUSCO in North Kivu	Assessment – The MONUSCO Head of Office did not know that the logistics officer was in Goma, even though the officer had been there for two months. – Contradiction between the logistics officer in the east and the one in North Kivu (lack of harmonization). – Delay in deployment – Eventually, the Electoral Commission hired trucks.
	North Kivu (Beni) and South Kivu (Bukavu)	Good collaboration between the Electoral Commission and MONUSCO, although much equipment was not transported.	The Electoral Commission was deployed by truck, by helicopter of the Armed Forces of the Democratic Republic of the Congo and in other vehicles to Walikale, Masisi, Rutshuru, Lubero and, in South Kivu, Shabunda, Kilembwe, Mwenga, and Kabare.
13 to 19 December 2016	Équateur, Mongala, South Ubangi and Tshuapa	– The MONUSCO aircraft remained on the ground for 12 days without advising the Electoral Commission in Gemena and Mbandaka. As a result, the programme and the deployment were delayed. – What was unacceptable was the lie that, on the one hand, equipment needed before the aircraft could fly was missing and, on the other, that the fuel was in vehicles en route to Mbandaka, an enclave. Perhaps those vehicles were amphibious. – An Antonov aircraft from Goma ultimately took all the equipment stored in Kisangani to Boende for dispatching to Bokungu, Ikela and part of Djolu, where MONUSCO provided limited support.	– The Electoral Commission took responsibility by hiring trucks, small boats, canoes and motorcycles. – If our partners were cooperative, they would inform us of their difficulties in advance. – The problems were related to • planning • financing • insufficient staff.

Date	*Province*	*Description of incident*	*Observations*
	Kolwezi	– Trucks were hired by the President of the Electoral Commission, Corneille Nangaa. – Three trucks were hired for deployment to Nyunzu, Kongolo and Kabalo. – A vessel was hired for deployment to Moba. Poor planning Why deploy equipment for Pweto, Kapanga or Sandoa from Kamina rather than doing so more cheaply from Kolwezi or Lubumbashi?	– All that information was concealed from us before being revealed on the ground, even though we work in the same offices. – The integrated centre that we have in Kinshasa does not exist in the provinces. – Electoral Commission staff do not meet in the provinces or, in some cases, with MONUSCO or UNDP staff.

Other challenges

In addition to the logistical, financial and technical challenges, there are juridical and legal challenges, as the electoral law must be amended, and the courts responsible for resolving disputes at the local, municipal (administrative courts) and provincial (court of appeal) level have not been established or installed everywhere.

The vastness of the country is a major challenge: it is equal in area to Western Europe (Moscow-Paris or Lubumbashi-Johannesburg, or one quarter of the United States of America, without road or rail links).

In terms of security, despite the presence of MONUSCO, the Armed Forces of the Democratic Republic of the Congo and the Congolese National Police, the Democratic Republic of the Congo faces problems with the following armed groups:

- Forces démocratiques de libération du Rwanda
- Allied Democratic Forces — National Army for the Liberation of Uganda
- Lord's Resistance Army
- Refugees from seven of the nine neighbouring countries (all except Zambia and the United Republic of Tanzania)
- Internal armed groups, especially in the eastern and central parts of the country, including:
  - Alliance des Patriotes pour un Congo libre et souverain
  - Nyantura
  - Mai-Mai Mazembe
  - Mai Mai Gédéon
  - Mai-Mai Cheka
  - Mouvement du 23 mars (M23)

Please note that the Kamuina Nsapu phenomenon in Kasai contributed to the attack on five offices of the Electoral Commission, where we no longer conduct any activities.

The Mission's role is to contribute to peace and security, alongside the Armed Forces of the Democratic Republic of the Congo and the Congolese National Police. We would like these phenomena to be eradicated and for the 123 million United States dollars to help us to secure the electoral process and be used for technical and logistical support.

Financial measures

The Democratic Republic of the Congo faces the economic and financial problem of falling prices of copper and oil. Despite the goodwill of the Electoral Commission and the Government of the Democratic Republic of the Congo, the global crisis and the lack of support from the international community are not making the task any easier.

In 2005, the UNDP programme to support the electoral process in the Democratic Republic of the Congo took care of the security arrangements for the elections, payroll and especially the logistical aspect, through the European Union Police Mission in Kinshasa for the integrated police unit.

In addition to the issuance of "movement of personnel" forms, a Beechcraft aircraft was made available for Electoral Commission officials in 2005-2006 to enable members of the plenary to travel in the vast territory of the Democratic Republic of the Congo.

Relationship between the Government, the Electoral Commission, MONUSCO and the UNDP project to support the electoral cycle in the Democratic Republic of the Congo

Despite these challenges, from a statistical perspective and in a period of one and a half months, we have registered over 12 million voters, 48 per cent of them women (20 times more than in Gabon, 6 times more than in the Republic of the Congo, 15 times more than in the Gambia and 2 times more than in Côte d'Ivoire) for the pilot province and the 12 provinces of areas of operation 1 and 2.

During the second half of February, we will begin training in areas of operation 3 and 4 (Tshopo, Bas-Uélé, Haut-Uélé, Kasai, Kasai Oriental, Kasai Central, Lomami and Sankuru), while in April, we will proceed to Kinshasa, Kongo Central and former Bandundu, as well as the diaspora, to complete the process on 31 July 2017.

Recommendations

(a) Continue the joint visits of MONUSCO and the UNDP project to support the electoral cycle in the Democratic Republic of the Congo and the Electoral Commission in order to understand the real situation on the ground and seek comprehensive solutions;

(b) Provide land, river and lake transport as an alternative to helicopters in case of the lack of fuel or other problems;

(c) Hire larger numbers of technical staff, as 8 individuals is not sufficient for 26 provinces;

(d) Decentralize the integrated Kinshasa group so that it can function and operate in the provinces, noting that the logistics at Goma make operations more complicated than at Kinshasa;

(e) Plan activities and finance operations through the UNDP project to support the electoral cycle;

(f) Plan the movement of aircraft to avoid inconsistent action by pilots, the Electoral Commission and MONUSCO officials;

(g) Finance operations through the Electoral Commission and UNDP project to support the electoral cycle instead of funding international development non-governmental organizations that are not accountable to the Government of the Democratic Republic of the Congo, the Electoral Commission or the project to support the electoral cycle. We need money to pay for the police, the ballot papers and boxes and polling booths, and not for development non-governmental organizations, that are not accountable to anyone and conduct programmes that are not concerted or coordinated, resulting in the duplication of activities observed on the ground;

(h) Involve Radio Okapi in communications aspects of the Electoral Commission's work;

(i) Avoid delays in the deployment of ballot papers, packages or ballot boxes on the day of voting, to avoid war breaking out because of poor planning or a fuel shortage;

(j) Train judges and build courts and tribunals for the resolution of electoral disputes, especially in the new provinces;

(k) Respond to the need to raise awareness, especially among women, who represent 48 per cent of registered voters.

Conclusion

Ladies and gentlemen, by making use of this report you will have completed the role assigned to MONUSCO in its mandate, in accordance with resolution 2277 (2016) of the Security Council.

The Electoral Commission must be fully supported in its mandate so that it can carry out its mission, including the ongoing review of the electoral rolls.

Done at Kinshasa on 7 February 2017

For the President on mission,
Norbert **Basengezi Katintima**